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Paper No. **9**

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SEP 21 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

In re Application of: Frank, et al.)
Application No. 09/321,990) **DECISION ON PETITION TO**
Attorney Docket No. ORA99-07 (OID-1999-) **WITHDRAW HOLDING OF**
63-01) **ABANDONMENT UNDER 37 CFR**
Filed: May 28, 1999) **§1.181**
For: SYSTEM FOR EXTENDING AN)
ADDRESSABLE RANGE OF MEMORY)

This is a decision on the petition, filed February 9, 2004 requesting the Withdrawal of the Holding of Abandonment of the above-identified application, under 37 CFR §1.181. This application was held abandoned for failure to timely respond to the Office action mailed November 12, 2002 (Paper No. 6). A Notice of Abandonment was mailed on August 8, 2003 (Paper No. 7).

According to the MPEP §711.03(c), the showing required to establish non-receipt of an Office action includes the following:

- 1) a statement from practitioner that the Office action was not received,
- 2) a statement from practitioner that the file jacket and docket records were searched,
- 3) a copy of the docket record at the address of record, and
- 4) a reference to the docket record in the practitioner's statement.

In support of the petition, applicants' representative provides a statement that the Office action of November 12, 2002 was not received and that a search of the file jacket and document records has been performed. Petitioner has also submitted a copy of the docket record at the address of record as well as a reference to the docket record in practitioner's statement.

Petitioner has established non-receipt of the Office action according to the requirements set forth above. Accordingly, the petition is **GRANTED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to withdraw the Holding of Abandonment and to restore the application to pending status, before redating and remailing the Office action of November 12, 2002.

Telephone inquiries should be directed to the undersigned at (703) 308-0885.

Brian L. Johnson
Special Programs Examiner
Technology Center 2100, Computer Architecture, Software, and Information Security
9/10/04